IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 19TH SEPTEMBER 2007 / 28TH BHADRA 1929

Bail Appl..No. 5620 of 2007()

CMP.3272/2007 of J.M.F.C.-II, CHENGANNUR

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CRIME NO. 35/2006 OF CHENGANNUR EXCISE RANGE

PETITIONER/ACCUSED

SANTHOSH, S/O RAVEENDRAN, AGED 32 YEARS,
MADATHIL PARAMBIL, VANMAZHI MURI, PANDANADU
VILLAGE, CHENGANNUR TALUK.

BY ADV. SRI.S.HARIKRISHNAN

RESPONDENTS: COMPLAINANT

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1. STATE OF KERALA REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. THE EXCISE INSPECTOR, CHENGANNUR.

BY PUBLIC PROSECUTOR ADV.SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ALONGWITH B.A.NO.5628 ON 19/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.No.5620 & 5628 of 2007

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Dated this the 19th day of September, 2007

ORDER

These applications, by the common petitioner, are for regular bail. The petitioner is the accused in two separate crimes, both registered under the Chengannur Excise Range. Allegations are raised under the provisions of the Kerala Abkari Act. The petitioner was allegedly found to be in possession of illicit liquor on two occasions- first on 4.4.06 with 1½ litres of arrack and second on 24.8.07 with 600 ml of arrack obtained by diluting spirit. The petitioner was arrested on 24.8.07 in one crime and the arrest was recorded in the other crime on 6.9.07. The petitioner continues in custody, thus from 24.8.07.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the Investigating Officer is granted reasonable further time to complete the investigation and I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate conditions.

3. In the result, these applications are allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released on bail on the strength of this order prior to 29.09.2007. The investigating officer shall, in the meantime, make every endeavour to complete the investigation.

ii) The petitioner shall, in each case execute bond for Rs.50,000/- (Rupees Fifty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

sj

/TRUE COPY/

P.A.TO JUDGE